

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13856 of 2021

Arising Out of PS. Case No.-86 Year-2020 Thana- CHANAN District- Lakhisarai

1. Kedar Yadav (M) aged about 47 years, S/o Late Daso Yadav R/o village- Mananpur Basti, P.O.- Mananpur, P.S.- Chanan, District- Lakhisarai
2. Bilas Yadav @ Rambilas Yadav (M) aged about 48 years, Son Of Late Kanhaiya Yadav R/o village- Mananpur Basti, P.O.- Mananpur, P.S.- Chanan, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saket Anand

For the Opposite Party/s : Mr.Ganesh Pd.Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 30-06-2021 Heard learned counsel for the parties through video conferencing.

The petitioners seek bail in Chanan P.S. Case No. 86 of 2020, registered for the offence under Section 364(A)/34 of the Indian Penal Code and Sections 16, 18 & 20 of Unlawful Activities (Prevention) Act.

As per the prosecution case, three persons of village Mananpur had been kidnapped by two FIR named and 35-40 unknown miscreants.

Petitioners are not named in the FIR. Name of petitioners has come during course of investigation on the basis of confessional statement of co-accused Ranjit Kora. It is further



submitted that from perusal of FIR, it is apparent that one of the victim, who returned namely Ravindra Yadav, has not been interrogated nor his statement was recorded either before the police or under Section 164 Cr.P.C. Save & except suspicion and confessional statement of co-accused, there is no cogent material against the petitioners. Petitioners have got clean antecedent and they are in custody since 05.09.2020.

Learned A.P.P. for the State has opposed the bail petition.

Considering the rival submissions of the parties and the materials available on record as well as the fact that save & except confessional statement of co-accused, there is no cogent material against the petitioners and petitioners have clean antecedent, the bail petition of petitioners is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Lakhisarai/concerned court in connection with Chanan P.S. Case No. 86 of 2020, on the following conditions:

“(1) Petitioners shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by



the court below, and on their absence on two consecutive dates without sufficient reason, their bail-bond shall be cancelled by the court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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